

REMARKS

In the final Office Action dated June 29, 2005, the Examiner rejected claims 1-3, 5-18, and 20-24 under 35 U.S.C. 103(a) as being unpatentable over Sugiyama et al. ("Sugiyama") (U.S. Patent No. 5,350,031) in view of Moore (U.S. Patent No. 6,306,056).

Claims 1-3, 5-18, and 20-27 are now pending in this application. By this Reply, Applicants have amended claims 1, 9, 10, 14, 17, and 24. Claims 25-27 have been added to the application.

Rejections under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 1-3, 5-18, and 20-24 under 35 U.S.C. § 103(a) as being unpatentable over Sugiyama in view of Moore. No *prima facie* case of obviousness has been established with respect to claim 1 for at least the reasons that the combination of Sugiyama and Moore fails to disclose or suggest every claim element included in claim 1.

For example, independent claim 1 recites a combination of elements including, *inter alia*, "a controller configured to operate the first engine within a first range of rotations per minute and the second engine within a second range of rotations per minute, wherein the first range of rotations per minute is different than the second range of rotations per minute." In the Office Action, the Examiner asserted that Moore discloses "the first engine is running during the normal operation (rpm1) and the second engine provides additional driving torque requirement to the vehicle (rpm2). Therefore, the first engine should have the rotation per minute greater than the rotation per minute of the second engine when the second engine is just start up to provide addition torque." See Office Action at page 4, paragraph 4. However Moore does not disclose at least "a controller configured to operate the first engine within a first range of rotations

per minute and the second engine within a second range of rotations per minute, wherein the first range of rotations per minute is different than the second range of rotations per minute,” as required by claim 1.

Every engine is configured to have a start up time and, during that start up time the engine is necessarily configured to accelerate from a speed of 0 rpm to a certain speed. (Emphasis added). However, this does not constitute “to operate the first engine within a first range of rotations per minute and the second engine within a second range of rotations per minute,” as required by claim 1. (Emphasis added). Moore discloses a dual engine hybrid electric vehicle having two engines. One engine may provide power to the vehicle until additional power is required, and then the second engine may be used to provide the additional power. See Moore, column 3, line 57 to column 4, line 5. Nevertheless, there is no teaching or suggestion in Moore that a controller is configured to operate the two engines within two different ranges of rotations per minute as required by claim 1. (Emphasis added). Furthermore, Sugiyama, relied on for its disclosure of a plural generator apparatus that includes two generators and a single engine (see Office Action at page 2, paragraph 3), fails to remedy the deficiency of Moore. For example, with only one engine, the system of Sugiyama has no need for a controller configured to operate two different engines at two different operating speeds.

The Examiner did not specifically address independent claims 10, 14, and 17. Nevertheless, claims 10, 14, and 17, although different in scope, include elements similar to the elements of claim 1. For example, claim 10 includes “determining whether the first engine is operating outside of a predetermined set of operating parameters

associated with the first range of rotations per minute; and if the first engine is operating outside of the predetermined set of parameters, operating the second engine within a second range of rotations per minute, wherein the first range of rotations per minute is different than the second range of rotations per minute.” Claim 14 includes “operatively connecting a controller to the first engine and the second engine, the controller being configured to operate the first engine within the first range of engine speeds and engine torques and the second engine within the second range of engine speeds and engine torques.” None of these elements, among others, is disclosed or suggested by the combination of Sugiyama and Moore. Therefore, independent claims 10, 14, and 17 are allowable for at least the reasons discussed above. Dependent claims 2, 3, 5-9, 11-16, 18, and 20-27 ultimately depend from one of claims 1, 10, 14, and 17, and, therefore, are allowable for at least the reasons discussed above and in view of their additional recitations of novelty.


In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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